

Amendment No. 1 to SB0202

Cohen  
Signature of Sponsor

**AMEND Senate Bill No. 202\***

**House Bill No. 526**

**FILED**

Date \_\_\_\_\_

Time \_\_\_\_\_

Clerk \_\_\_\_\_

Comm. Amdt. \_\_\_\_\_

by deleting all language following the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 7-82-307(b), is amended by adding the following language as a new, appropriately designated subdivision:

(3)

(A) If a utility district is under the jurisdiction of the utility management review board pursuant to § 7-83-701(a), then the utility management review board may initiate a contested case hearing on the question of whether a member or members of the board of commissioners of the utility district should be removed from office and a new member or members appointed or elected on the grounds that either:

(i) the utility district has failed to comply with an order of the utility management review board; or

(ii) a member or members of the board of commissioners of the utility district has knowingly committed misconduct in connection with such office or has knowingly failed to perform any duty imposed by law.

If the utility management review board elects to hold a contested case hearing on this issue, then the hearing shall be conducted within the service area of the utility district.

(B) If the utility management review board concludes a member or members of the board of commissioners of the utility district should be removed from office for failure to comply with an order of the utility management review board or should be removed from office for knowingly committing misconduct in connection with such office or knowingly failing to perform any duty imposed by law, then the utility management review board shall issue an order removing

such member or members from office. Any vacancy on the board of commissioners shall then be filled by the selection method used by the utility district to fill vacancies; provided, that no member of the board of commissioners ousted by order of utility management review board shall be eligible for reappointment or reelection or shall participate in either the nomination, appointment or election of new members by the board of commissioners.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.